



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.13751 of 2020

and

W.M.P.Nos.17091 and 17095 of 2020

Sangeetha

... Petitioner

Vs.

1.The District Revenue Officer,
Chennai.

2. The Revenue Divisional Officer,
Guindy-32,
Chennai District.

3. Tahsildar,
Alandur Taluk,
Chennai-16,
Kancheepuram District.

4. Mrs. Rupagalakshimi,
W/o. Jeyaraman,
Door No.9/14, Ground Floor, 11th Street,
Santhi Nagar,
Adambakkam,
Chennai-88

5. The District Collector,
Kancheepuram District.
(R5 Su-Motu impleaded vide
order, dated 21.01.2021 made in
W.P.No.13751/2020 by N.S.S.J)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, call for the proceedings of the 1st respondent dated 24.08.2020 in Se.Mu.No.28927/2019/Mu.J.11 confirming the order of the 2nd respondent in his proceedings Se.Mu.No.A2/3805/2017 dated 31.10.2018 quash the same.



WEB COPY

For Petitioner .. Mr. S.N.Subramani
For Respondents .. Mr.K.M.D.Muhilan
1 to 3 and 5 (Govt.Advocate)

For R4 .. Mr.B.Sundarapandiyan

ORDER

Heard Mr. S.N.Subramani, learned Counsel for the petitioner and Mr. B.Sundarapandiyan, learned Counsel for the 4th respondent and Mr. K.M.D. Muhilan, learned Government Advocate for the 1st, 2nd, 3rd and 5th respondents.

2.A memorandum of compromise has been presented in the Court, dated 02.08.2021, which had been entered into between the petitioner, Sangeetha wife of Yesudoss and 4th respondent, V.S.Rupagalakshimi, wife of T.Jeyaraman.

3.The Memorandum of Compromise is extracted in full:-

"This memorandum of compromise is entered on this 2nd day of August 2021 between Sangeetha W/o. Yesudoss, Hindu aged about 39 years, residing at No.1508, Thulukanathamman Kovil Street, Mugalivakkam, Chennai-125 is the petitioner herein/ party of the 1st part and Mrs. V.S. Rupagalakshmi, W/o. late T. Jayaraman, residing at Door No.9/14, Ground Floor, 11th Street, Shanthi Nagar, Adambakkam, Chennai-88, the 4th respondent/part of the 2nd part.

Whereas the party of the 1st part herein filed W.P.No.13751/2020 seeking to challenge the order passed by the District Revenue Officer, Chennai confirming the order of the Revenue Divisional Officer, Guindy with respect to the schedule mentioned property in S.No.76/1, Mugalivakkam village, admeasuring 18 cents.

Whereas the party of the first part has filed another suit in O.S.No.45 of 2019 before the Learned District Munsif, Sriperumbudur seeking declaration declaring the Sale Deed in D.No.1868/1981, dated 13.08.1981 registered on the file of Sub-Registrar, Kundrathur as null and void.

Whereas both parties had agreed to settled their disputes amicably and entered into this memorandum of compromise. As per the compromise, party of the 1st part agreed to withdraw W.P.No.13751/2021 and also withdraw the suit O.S.No.45/2019 pending on the file of the Learned District Munsif, Sriperumbudur.



WEB COPY

Whereas the party of the 1st part also agreed to give consent to change the patta with respect to the property bearing S.No.76/1, Mugalivakkam village in favour of the 2nd part V.S.Rupagalakshmi and following legal heirs of late T.Jayaraman

- 1) Mrs.V.S. Rupagalakshmi W/o Late T.Jayaraman
- 2) Mrs. V.S. Kasthuri Bai W/o Late T.Jayaraman
- 3) Mrs. Hemavathy D/o Late T.Jayaraman
- 4) Mrs. Padmavathy D/o Late T.Jayaraman
- 5) Mrs. Susila D/o Late T.Jayaraman
- 6) Mr. J. Rajendran S/o Late T.Jayaraman
- 7) Mr. J. Ohmprakash S/o Late T.Jayaraman

Whereas the party of the 1st part agreed to give no objection to decree the suit in O.S No:118/2021 on the file of District Munsif Court of Sriperumbudur filed by the 2nd part V.S. Rupagalakshmi and others seeking relief for declaration declaring settlement deed Doc No:5464/2015 dated 09/04/2015 on the file of Sub-Registrar office of Kundrathur and declaring rectification deed in Doc No:12692/2020 dated 22/10/2020 on the file of Sub-Registrar office of Kundrathur in favour of 1st part is null and void and seeking for permanent injunction in suit scheduled property.

Whereas, hereafter the party of the 1st part and her husband Yesudoss S/o John Wessly would not claim any rights over the schedule property and will not disturb the 2nd part/4th respondent's possession and enjoyment of the property.

Whereas in the presence of the witnesses both parties putforth their signature in this memorandum on 2nd day of August 2021 at Chennai.

SCHEDULE OF PROPERTY

All that piece and parcel of land situated in Survey No.76/1 extent of 0.18 cents, Mugalivakkam village, Sriperumbudur Taluk, in Kancheepuram District, Registration District of Kudrathur bounded on the

North by :Devakumari, Shanthakumari, Munusamy's house

East by : Devakumari's house

South by : Devakumari's Land

West by : River canal

PETITIONER/1st PART 4th RESPONDENT/2nd PART

Counsel for the petitioner Counsel for the 4th respondent"



3.Let me not enter into further discussion. Heard Mr.K.M.D.Muhilan, learned Government Advocate. The Memorandum of Compromise is recorded. The Writ Petition is disposed of in accordance with the terms of Memorandum of Compromise. No costs.

WEB COPY

4.Irrespective of the terms of the Memorandum of Compromise, the obligation placed on the government officials to examine and decide about the grant of patta, still remains. Consequently, connected writ miscellaneous petitions are closed.

*The Xerox copy of the
Memorandum of Compromise enclosed

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

smv/grs
To

- 1.The District Revenue Officer,
Chennai.
2. The Revenue Divisional Officer,
Guindy-32,
Chennai District.
3. Tahsildar,
Alandur Taluk,
Chennai-16,
Kancheepuram District.
4. The District Collector,
Kancheepuram District.

+1cc to M/s.B.Sundarapandiyan, Advocate Sr.40912
+1cc to M/s.S.N.Subramani, Advocate Sr.41395
+1cc to the Government Pleader Sr.41477

W.P.No.13751 of 2020

smi[col]
srg 06/10/2021